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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL LERMA, *et al.*,

Defendants.

No. CR 2:18-00172 (A) -GW

GOVERNMENT STATEMENT IN RE OFFER  
OF PROOF FOR DEFENSE WITNESS PEDRO  
JIRON; EXHIBITS

Hearing Date: March 17, 2025

Hearing Time: 10:00 a.m.

Location: Courtroom of the  
Hon. George H. Wu

Plaintiff United States of America, by and through its counsel  
of record, the Acting United States Attorney for the Central District  
of California and Assistant United States Attorneys Kyle W. Kahan,  
Kellye Ng, and Jason A. Gorn, hereby files its statement regarding  
defendant Jose Valencia Gonzalez's offer of proof for defense witness  
Pedro Jiron.

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1        This statement is based upon the attached statement, the files  
2 and records in this case, the attached exhibits, and such further  
3 evidence and argument as the Court may permit.

4        Dated: March 16, 2025

Respectfully submitted,

5                                JOSEPH T. MCNALLY  
6                                Acting United States Attorney

7                                LINDSEY GREER DOTSON  
8                                Assistant United States Attorney  
                                 Chief, Criminal Division

9                                /s/ Kyle W. Kahan

10                               KYLE W. KAHAN

KELLYE NG

JASON A. GORN

11                               Assistant United States Attorney

12                               Attorneys for Plaintiff  
13                               UNITED STATES OF AMERICA

**GOVERNMENT' S STATEMENT**

On May 17, 2023, Assistant United States Attorney ("AUSA") Shawn J. Nelson received an email from United States Marshals Service ("USMS") Deputy Andrew Nguyen regarding an ongoing investigation into M.L. related to the transportation into and distribution of suboxone (and/or the related brand name "Subutex") in the Santa Ana City Jail. (Exhibit ("Ex.") A - Compilation of emails at p. 2 (email dated May 17, 2023 10:28 a.m.)).<sup>1</sup> AUSA Nelson forwarded the email to FBI Special Agent ("SA") Joseph Talamantez and informed SA Talamantez over the telephone to stay on top of the matter. (See Ex. A at p. 4 (email dated May 17, 2023 10:30:46 a.m.)).

On May 22, 2023, USMS Supervisory Deputy ("SD") Juan Medrano asked AUSA Nelson to call him. (Ex. A at p. 5 (email dated May 22, 2023 12:12:29 p.m.)). After the telephone call, AUSA Nelson emailed SD Medrano and recommended that the Santa Ana Police Department investigators assigned to the matter speak to FBI SAs Talamantez and Marc Napolitano directly. (See Ex A. at p. 7. (May 22, 2023 1:20:04 p.m.)). That same day, Santa Ana Police Department ("SAPD") Correctional Supervisor Pedro Jiron emailed AUSA Nelson and FBI SAs Talamantez and Napolitano that he was the point of contact for the SAPD's investigations into M.L.'s illegal activities at Santa Ana City Jail ("SACJ") and that the information needed to be confidential

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<sup>1</sup> Suboxone (buprenorphine and naloxone) is a prescription medicine used to treat opioid addiction in adults. See <https://ophelia.com/blog/suboxone-vs-subutex> Subutex is a brand name for the prescription medication buprenorphine, which is contained in suboxone. It is a partial opioid agonist, which means it activates the same receptors in the brain as opioids like heroin and oxycodone. Subutex is used to treat opioid disorder. Id.

1 as the investigation was ongoing. (Ex. A at p. 9 (email dated  
2 Monday, May 22, 2023 1:47:52 p.m.)).

3 AUSA Nelson's subsequent emails with SAPD Supervisor Jiron  
4 involved AUSA Nelson's attempts to obtain and his receipt of  
5 information related to M.L.'s disciplinary infractions while in  
6 custody at the SACJ. (Ex. A at pp. 18-35). On November 6, 2023,  
7 AUSA Nelson forwarded the reports of SAPD's investigation to FBI SA  
8 Talamantez (Ex. A at pg. 36). The government disclosed these reports  
9 to defense counsel on October 28, 2024. (Ex. B - Oct. 28, 2024  
10 Discovery Letter.)

11 FBI SA Talamantez had no further contact with SAPD regarding  
12 their investigation of M.L. and SA Talamantez did not intervene in  
13 SAPD's investigation of M.L. SAPD's investigation of M.L. was not  
14 presented to the United States Attorney's Office for further  
15 investigation or federal prosecution. Neither the United States  
16 Attorney's Office nor the FBI intervened in SAPD's investigation of  
17 M.L.